REMARKS/ARGUMENTS

Claim Rejections 35 U.S.C. §103

Claims 1-30 are rejected, under 35 U.S.C. §103(a), as allegedly being unpatentable over Reitmeier (U.S. Patent No. 6,115,080) (hereinafter Reitmeier) in view of West et al., (U.S. Publication No. 2003/0110514) (hereinafter West). Applicants respectfully traverse the rejection in view of the following.

Independent Claim 1 recites a method of displaying digital content using a second tuner to access a second transport stream during spare periods of the second tuner, as claimed. Accordingly, the second tuner is used to access a second transport stream when the second tuner is not being utilized for other purposes.

In contrast, Reitmeier discloses that the channel scanning routine operates as a background or idle-state routine (see Reitmeier, col. 8, lines 29-30). For example, the channel scanning routine runs <u>only when</u> the system control routine is not active (see Reitmeier, col. 8, lines 29-32). Accordingly, the channel scanning routine does not run when the system is active despite the fact that a tuner may be free to perform channel scanning, as disclosed by Reitmeier. Accordingly, running the channel scanning routine <u>only when</u> the system control routine is inactive, as disclosed by Reitmeier, fails to teach or suggest using a

second tuner <u>during spare periods of the second tuner</u> while the system is otherwise active to access a second transport stream, as claimed.

Independent Claim 1 further recites caching a portion of the digital content into a memory buffer, wherein the portion of the digital content is used to display a plurality of frames associated with the second transport stream upon receiving a channel change associated therewith, as claimed. Accordingly, the cached portion of the digital content displays a motion picture, e.g., plurality of frames, when a channel change occurs. In other words, changing channels occurs seamlessly from the user's perspective.

In contrast, Reitmeier discloses that in the channel changing mode, format converter utilizes display frame buffer to store <u>a single video frame</u> while the tuner/demodulator pair associated with the main transport tunes/demodulates the new channel (see Reitmeier, col. 5, lines 7-12). The output signal represents a <u>freeze-frame</u> image of the stored frame (see Reitmeier, col. 5, line 12). Thus, during the channel changing mode, a frozen-frame image is displayed, as disclosed by Reitmeier, which is noticeable from the user's perspective. As such, Reitmeier fails to teach or suggest caching a portion of the digital content into a memory buffer, wherein the portion of the digital content is <u>used to display a plurality of frames</u> associated with the second transport stream upon receiving a channel change associated therewith, as claimed.

Applicants respectfully submit that West fails to remedy the failures of Reitmeier with respect to the limitations of independent Claim 1 that were discussed above. Accordingly, Reitmeier alone or in combination with West fails to render independent Claim 1 obvious, under 35 U.S.C. §103(a). Independent Claims 9, 17, and 23 recite limitations similar to caching a portion of the digital content into a memory buffer, wherein the portion of the digital content is used to display a plurality of frames associated with the second transport stream upon receiving a channel change associated therewith, as recited by Claim 1 and are patentable for similar reasons. Dependent claims are patentable by virtue of their dependency.

Independent Claim 9 further recites caching a portion of the first digital content into a memory buffer and caching a portion of the second digital content into the memory buffer, as claimed. Claim 9 further recites recalling a portion of the digital content associated with the second or the third tuner from the memory buffer, as claimed. Accordingly, the same memory buffer is used for the first digital content and the second digital content.

In contrast, West discloses that the hard disk with two tuners includes two buffer spaces where each corresponds to a tuner (see West, paragraph 87 and Figure 4C and 4D, elements MCl1, MCl2, and 300). In other words, West utilizes

a different buffer space for storing each media content instance. As such, West fails to teach or suggest caching a portion of the first digital content into a memory buffer and caching a portion of the second digital content into the memory buffer in the claimed fashion.

As per Claim 6, the cited combination fails to teach or suggest using the second tuner to scan through a plurality of frequencies over time, as claimed. The rejection admits that Reitmeier discloses only one frequency (see rejection with respect to Claim 7). Accordingly, repeatedly tuning, demodulating and decoding channels in the scan list are within the same frequency (see Reitmeier, col. 3, lines 22-23). As such, the cited combination fails to teach or suggest using the second tuner to scan through a plurality of frequencies over time, as claimed. Claim 20 is patentable for similar reasons that Claim 6 is patentable.

As per Claim 14, West discloses storing media content instance (MCI) one and two in two buffer spaces where each buffer space corresponds to a different tuner (see West, paragraph 87). Thus, each tuner tunes to one MCI, thereby one frequency. As such, West fails to teach or suggest using the third tuner to scan through a plurality of frequencies, as claimed.

As such, allowance of Claims 1-30 is earnestly solicited.

For the above reasons, the Applicants request reconsideration and withdrawal of rejections under 35 U.S.C. §103.

CONCLUSION

In light of the above listed remarks, reconsideration of the rejected claims is requested. Based on the arguments presented above, it is respectfully submitted that Claims 1-30 overcome the rejections of record and, therefore, allowance of the rejected Claims 1-30 is earnestly solicited.

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Respectfully submitted,
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